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Remarks

Attached is a copy of the historical overview
of BLM that Steve Beckham presented at the
"Employee Excellence Seminar", April 7, 1986.

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HISTORICAL OVERVIEW OF THE BUREAU OF LAND MANAGEMENT
SIGNIFICANCE OF THE PUBLIC DOMAIN

1. The public domain lands in the United States have played a major role in American history.

Historical significance of the public domain

• History of Public Lands Act of 1902
• Homestead Act of 1862

• Land-Grant Colleges Act of 1862

• Land-Grant Colleges Act of 1890

• Land-Grant Colleges Act of 1890

HISTORICAL OVERVIEW OF THE BUREAU OF LAND MANAGEMENT

1.4 million acres total

• Land-use system, derive and maintain ownership

• Land-use system, derive and maintain ownership

Employee Development Seminar

Agate Beach, Ore.

• Association of rights of discovery
• Protection of land-use system
• Protection of natural resources
• Protection of natural resources

Stephen Dow Beckham
Lake Oswego, Oregon

April 7, 1986

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HISTORICAL OVERVIEW OF BUREAU OF LAND MANAGEMENT

A. Significance of the Public Domain

1. The public domain lands of the United States have played major roles in American history:

--focal points of diplomacy and, sometimes, warfare at acquisition

- Peace of Paris (1783) [233 m. acres]
- Louisiana Purchase (1803) [523 m. acres]
- Adams-Onis Treaty (1819) [43 m. acres]
- Oregon Treaty (1846) [180 m. acres]
- Treaty of Guadelupe Hidalgo (1848) [334 m.]
- Purchase from Texas (1850) [78 m. acres]
- Gadsden Purchase (1853) [18.9 m. acres]
- Alaska Treaty (1867)

1.4 billion acres total

--focal point of smoldering and continuing resentment, restiveness, and and litigation by Indian tribes, whose patrimony was unilaterally dispossessed often without their participation or approval

-Johnson's and Graham's Lessee v. McIntosh
(1823):

- doctrine of right of discovery;
- doctrine landlord/tenant relationship and right of federal govt. to control and regulate land use

-Cherokee Nation v. Georgia (1831):

- Indian tribes are "domestic, dependent nations" with lesser sovereignty

--primary source of revenue:

-Virginia ceded the Old Northwest to U. S.
"AS A COMMON FUND FOR THE USE AND
BENEFIT" of all the states.

-Congress declared that the lands "SHALL BE
FAITHFULLY AND BONA FIDE DISPOSED OF FOR
THAT PURPOSE AND FOR NO OTHER USE OR
PURPOSE WHATSOEVER

--continuing source of federal responsibility

- NW Ordinance of 1787 and Constitution of 1789 spelled out continued federal supremacy over public domain lands
- New states had to agree not to tax the public domain lands and never "TO INTERFERE WITH THE PRIMARY DISPOSAL OF THE SOIL BY THE UNITED STATES IN CONGRESS ASSEMBLED, NOR WITH ANY REGULATIONS CONGRESS MAY FIND NECESSARY FOR SECURING THE TITLE TO SUCH SOIL TO BONA FIDE PURCHASERS.

B. Meeting the Challenge of the Public Domain: Survey

1. Disposition of the public domain in an orderly fashion was one of the first challenges facing the United States.

--program necessitated reflection, orderly approach, and method

--program launched in 1784 when Continental Congress established a committee to plan for locating and selling western lands

--program recommended:

- prior survey (before sales)

- north/south survey lines

- townships 6 miles square

--Land Ordinance of 1785 enacted program

- reserved sec. 16 for school support

- prescribed township plats to have lots 1 mile sq., numbered 1 to 36

- provided for appointment of surveyors and chainmen under the "geographer of the U. S." [Thomas Hutchins, named July, 1781]

- required surveyor in field to note on his plats:

"AT THEIR PROPER DISTANCES, ALL MINES, SALT SPRINGS, SALT LICKS, MILL SEATS, THAT SHALL COME TO HIS KNOWLEDGE; AND ALL WATER COURSES, MOUNTAINS, AND OTHER REMARKABLE AND PERMANENT THINGS OVER OR NEAR WHICH LINES SHALL PASS, AND ALSO THE QUALITY OF THE LAND."

2. The system of rectangular survey, also known as the cadastral survey because it describes land in terms of legal identification, commenced in 1785

--Hutchins was told to begin: ". . . ON THE RIVER OHIO AT A POINT THAT SHOULD BE FOUND TO BE DUE NORTH FROM THE WESTERN TERMINUS OF A LINE WHICH HAS BEEN RUN AS THE SOUTHERN BOUNDARY OF THE STATE OF PENNSYLVANIA"

--Point established on August 20, 1785, on south bank of Ohio River. Andrew Porter, one of the four surveyors, wrote:

"THIS MORNING CONTINUED THE VISTA OVER THE HILL ON THE SOUTH SIDE OF THE RIVER AND SET A STAKE ON IT BY THE SIGNALS, ABOUT TWO MILES IN FRONT OF THE INSTRUMENT, BROUGHT THE INSTRUMENT FORWARD AND FIXED IT ON A HIGH POST, OPENED THE VISTA DOWN TO THE RIVER, AND SET A STAKE ON THE FLAT, THE NORTH SIDE OF THE RIVER (Cazier 1975:19)

C. Meeting the Challenge of Public Lands: Disposition

1. Public Debt Act of August 4, 1790 declared that proceeds from the sale of public lands: "ARE HEREBY APPROPRIATED TOWARD SINKING AND DISCHARGING THE DEBTS"

--concern was to shake off control or potential influence of bond holders on govt. by retiring debt

--project was to complete payoff by 1830's

--set land price at \$2.00/acre with 640 acres minimum tract available for purchase

2. Congress established General Land Office in 1812 in Treasury Department to administer land sales:

--sell lands pursuant to Acts of Congress

-\$122 m. generated, 1796-1842

--record titles of sale or distribution such as through military bounties or grants to states

--maintain land records

--supervise transfer of 500,000 acres to each public land state under the Act of 1841 (18 states benefitted)

--GLO transferred in 1849 (along with BIA) to Interior Department

3. General Land Office was to supervise three principal modes of disposal of public lands:

- (1) Sales for revenues,
- (2) Grants to states and corporations for internal improvements,
- (3) Grants to individuals for services to the govt.

D. Stages in BLM History

Marion Clawson, economist and former director of BLM, has written extensively about public lands and BLM's history; Clawson has identified several stages in the organization's development:

#1 Acquisition

--Process of taking Indian lands via international agreements and warfare

--Era nearly completed by 1867 with purchase of Alaska, but renewed occasionally such as thru the following:

-Weeks Act (1911): Enabled govt. to purchase eastern lands for national forest reserves

-O & C Revestment (1916): Supreme Court holding that O & C grant was to be "revested and reconveyed to U. S."

-Coos Bay Wagon Road Grant Revestment: reconveyed to U. S. because of failure to meet grant terms

#2 Disposal

--Major concern of GLO from 1812 until 1934. Clawson has noted:

"BEGINNING SLOWLY . . . IT CONTINUED UNABATED, OFTEN AT BREAKNECK SPEED, UNTIL 1934, WHEN PRESIDENT ROOSEVELT WITHDREW FROM PRIVATE ENTRY ALL THE REMAINING PUBLIC DOMAIN AFTER THE PASSAGE OF THE TAYLOR GRAZING ACT.

DISPOSAL WAS A PARTICULARLY COMPLEX PROCESS, GOVERNED BY LITERALLY THOUSANDS OF LAWS WHOSE ADMINISTRATION IN THE FIELD OFTEN DEVIATED GREATLY FROM THE PROVISIONS OF THE LAW" (Clawson 1983:20).

--Constant pressure to "liberalize" the disposition of public lands

--interests of speculators pressed

--demands of bona fide settlers pressed

--concerns of Jeffersonian democrats raised and articulated in pervasive 19th century concern for the yeoman and a "fee-simple empire"

--political popularity for free land mounted and tested

1842: W. Florida grants to frontier settlers

1850: Oregon Donation Land Act (for Ore. & Wash., 1850-1855)

? : New Mexico

[Total of some 10,000 claims for 3 m. acres]

--Program in place by mid-19th century:

--Homestead Act (1862): 160 acres

-waves of activity: 1880's 150m. acres filed on; only 40-50m. acres patented; new wave 1900-1920 in Pac NW

--Railroad and wagon road grants (1860's):

--Timber Culture Act (1873-82): 160 acres

-planting 40 acres 12' apart in trees; grow them 10 years

-10m. acres patented (of which 8 m. in treeless Kans., Neb., N. & S. Dakota)

--Desert Land Act (1877): 640 acres

-irrigating it within 3 years

-Philip Foss in Politics and Grass (1960) noted:

"THE EFFICIENT IRRIGATION OF 640 ACRES BY ONE MAN IS IMPRACTICAL TODAY WITH ALL THE MOST MODERN MACHINERY AT HIS DISPOSAL. IT WAS A FANTASTIC REQUIREMENT IN 1877. . . . THE SETTLER WAS UNLIKELY TO HAVE THE CAPITAL NECESSARY TO INSTALL SUCH AN IRRIGATION SYSTEM. EVEN IF HE HAD THE CAPITAL THERE WAS USUALLY NO SOURCE OF WATER" (Foss 1960:24)

-GLO presided over senseless ritual

-32m. acres entered; 8.3 m. acres purchased under act

--Enlarged Homestead Act (1909): 320 acres

-stemmed from success of Kincaid Act (1904) in Nebraska

-coincided with dry farming techniques with summer-fallow system

-few successes; massive relinquishments and cancellations

-1912 required proof in 3 rather than 5 years to tighten law

-contributed to major range problems; plowed grasslands; dust and erosion

--Stock-Raising Homestead Act (1916): 640 acres

-first effort of Congress to address condition of stockraisers

-represented major shift in thinking from viewing the yeoman farmer with hoe and plow as focus of attention

-lured new competitors onto marginal lands

Impact of Disposal Programs, 1862-1934

(1) Rectangular survey system imposed landownership patterns on America

-superimposed surveyor's squares on the landscape without regard to topography

John Wesley Powell commented on the problems in this system in his class Report on the Lands of the Arid Region of the United States:

"MANY A BROOK WHICH RUNS BUT A SHORT DISTANCE WILL AFFORD SUFFICIENT WATER FOR A NUMBER OF PASTURAGE FARMS: BUT IF THE LANDS ARE SURVEYED IN REGULAR TRACTS AS SQUARE MILES OR TOWNSHIPS, ALL THE WATER SUFFICIENT FOR A NUMBER OF PASTURAGE FARMS MAY FALL ENTIRELY WITHIN ONE DISTRICT. IF THE LANDS ARE THUS SURVEYED, ONLY THE DIVISIONS HAVING WATER WILL BE TAKEN, AND THE

FARMER OBTAINING TITLE TO SUCH A DIVISION OR FARM COULD PRACTICALLY OCCUPY ALL THE COUNTRY ADJACENT BY OWNING THE WATER NECESSARY TO ITS USE (Foss 1960: 28)

(2) Land disposal system fostered filing on "key" tracts, permitting virtually a free use of public domain lands adjacent (inc. amount of lands retained by feds. than wud have happened under a topographical survey and disposition system)

(3) Jointly the survey system and the topographic realities created a nightmarish system for rational, scientific management

--checkerboard nature of grants to r.r. and wagon road companies

--nearly total lack of land organization by watershed, ecological units, or biotic considerations

(4) Distribution system aided, abetted, or encouraged speculation in marginal western lands

--led to undesirable tillage and removal of ground cover

--encouraged exploitive attitude toward fragile environments

--founded on political expediency and economic interests rather than on ecological awareness

--fostered conflict (such as that of cattlemen and sheepmen)

-homesteaders got land so small they were forced to use public land

--use of public land bred more conflict with competing users whose interests were legal or illegal

(5) Philip Foss has concluded that the land distribution system:

--was a series of political acts which resulted in land policies "THAT WERE NOT SUITED TO THE REGION AND THAT HAD THE EFFECT OF ENCOURAGING CONFLICT, INSECURITY, AND DISRESPECT FOR LAW" (Foss 1960:30).

#3 Reservation

1. Congress did little in 19th century to enable commissioners of the General Land Office to enforce laws, eradicate fraud, or protect against trespass:
 - did not appropriate funds necessary for GLO staff to carry out those duties
 - did not exercise oversight of GLO to prevent internal problems of mismanagement and plundering
2. In 1891 Congress passed the Forest Reserve Act, making possible the reserving of public domain lands as national forests
 - by 1897 nearly 40m. acres so designated, but no provision for management or use

3. Other withdrawals (reservations) from 1909-1934

- waterpower sites
- phosphate, coal, oil sites for Naval Petroleum Reserves
- lands for nat. monuments, parks, wildlif refuges

4. Taylor Grazing Act (1934)

- end of public domain as grazing commons and est. of management system under Grazing Service
- 142 m. acres in program by 1936
- short-term licenses
- longer-term permits
- leases on land outside of districts

#4 Custodial Management

1. In 1897 Pres. Cleveland nearly doubled the forest reserves, setting aside 21 m. more acres, while Congress extended authority to manage these tracts
 - no money
 - no personnel
 - no staff expertise to do so
 - no "will to manage them constructively and effectively," noted Clawson

2. From 1891-1905 GLO had oversight of forest reserves.
Gifford Pinchot, who had a specific agenda, later
commented:

"THE MANAGEMENT WAS AWFUL. DIVISION P OF THE GENERAL LAND OFFICE AT WASHINGTON, TO WHICH THE DEPARTMENT HAD GIVEN THE RESERVES IN CHARGE, KNEW LITERALLY NOTHING ABOUT THEM OR WHAT OUGHT TO BE DONE WITH THEM. AT THAT TIME (1899) NOT ONE MAN IN DIVISION P HAD HAD EVER SET FOOT IN A FOREST RESERVE OR HAD EVEN SEEN ONE FOREST RESERVE TREE, UNLESS PERHAPS FROM A PULLMAN CAR WINDOW. THE ABYSMAL IGNORANCE OF THE WASHINGTON OFFICE ABOUT CONDITIONS ON THE GROUND WAS OUTRAGEOUS, PATHETIC, OR COMIC, WHICHEVER YOU LIKE. . . .

IN PRACTICE, THANKS TO LAX, STUPID, AND WRONGHEADED ADMINISTRATION BY THE INTERIOR DEPARTMENT, THE LAND LAWS WERE EASILY TWISTED TO THE ADVANTAGE OF THE BIG FELLOWS, AND WESTERN OPINION WAS SATISFIED TO HAVE IT SO. . . . (Clawson 1983:32).

3. Pinchot's critique coincided with public disclosures
about the internal dealings of the General Land Office

--highlighted by the "Oregon Land Fraud Trials"

Problems:

- dummy entrymen/entrywomen
- fraudulent "naming of the base" for lieu lands
- GLO commuting of residency requirements
- transfer of title from false entryman to timber company
- failure of r.r. and wagon road companies to dispose of lands per law
- multiple filings by same entryman/entrywoman
- involvement of Oregon politicians in scam

Judicial Solutions:

- Francis Heney named special prosecutor to investigate
- trials of J. N. Williamson (Prineville), House Charles W. Fulton (Astoria), Senator

Dr. Van Gesner (Prinville), relatives
in Cadastral Survey crews
Marion R. Biggs (Prinville), GLO
John Mitchell (Portland), Senator,
convicted 1905

--dismissal of John H. Hall, U. S. Attorney,
(shielded friends)
James H. Booth, Receiver, GLO
Roseburg

--trials of Binger Hermann (Roseburg), U. S.
Commissioner of Lands

S. A. D. Puter's Looters of the Public Domain (1908)

Administrative Solutions:

--Est. in 1905 of U. S. Forest Service to
administer national forests in Dept. of
Agriculture

--Pinchot attracted able crew, est. decentralized
on-the-ground administration

--Pinchot est. "Use Book" for actions of ranger

--administered forests and grazing lands at low
level, 1905-1950

-modest timber sales: 1-3 b. feet/year

-little recreation management until 1930's

-reluctant wilderness designation

-some wildlife and watershed management

-fire suppression with state cooperation

4. General Land Office, 1900-1934, administered
unappropriated and unreserved lands:

--Clawson's assessment:

ITS MANAGEMENT OF THE PUBLIC DOMAIN FROM 1900 to 1934
MAY BE CHARACTERIZED AS CUSTODIAL, EVEN AS MAGESTERIAL.
IT ALLOWED (AND DISALLOWED, FOR LEGAL AND NOT FOR
CONSERVATIONIST REASONS) ORIGINAL HOMESTEAD, ENLARGED
HOMESTEAD, STOCK-RAISING HOMESTEAD, AND OTHER FORMS OF
ENTRY. IT ALSO ACTED SLOWLY ON LAND EXCHANGES, MANY OF
WHICH WERE INSTITUTED BY THE FOREST SERVICE, WHEREBY

PUBLIC DOMAIN OUTSIDE OF A NATIONAL FOREST WAS TRADED FOR PRIVATE LAND WITHIN A FOREST.

--issued mineral leases

--lost grazing administration with creation of Grazing Service in 1934 under Taylor Grazing Act (Division of Grazing)

5. BLM--created in 1946 with merger of GLO and Grazing Service

#5 Intensive Management, 1950-1960

1. Choice of date arbitrary, but 1951 was first year in which federal lands generated more gross revenues than total expenditures; decade produced c. \$20m. in excess of outlays

--era of crescendo in timber harvests

1950	c. 4 b. board-feet
1960	c. 9 b. board-feet

--era of boom in recreation

1950	c. 30 m. visitors
1960	c. 90 m. visitors

--forage for wildlife inc. c. 50%
forage of domestic stock dec. c. 10%

--operating expenditures rose rapidly as did sales return

--increased in gas-oil leases

1950	c. 30,000 on 25 m. acres
1960	c. 140,000 on 100 m. acres

--generated fourfold inc. in revenues

--recreation mounted steadily with longer life expectancy, leisure time, paid vacations, motor homes, off-road vehicles

2. Oregon dramatically involved in these developments:

--O & C volumes increased steadily:

1950	c. 400 m. board-feet/year
1960	c. 1 b. board-feet/year

#6 Consultation and Confrontation (1960-present)

- continuation of past trends, such as intensive management (acquisition, disposal, reservation, and management)
- acquisition: tidelands beyond 3 miles to 600 feet depth (Outer Continental Shelf)
- disposal: -allocations in Alaska to state and native claimants
 - leases of oil and gas cont. but stabilized at c. 100,000 on 80m. acres
 - sale of timber peaked at 12 b. bd-feet in 1973 and dropped to 9-10 b.
- reservation: mounting designation of wilderness thru studies, withdrawals, ending of logging and termination of road projects

2. Last two decades driven by three factors:

#1 Passage of major new laws

- Multiple Use-Sustained Yield Act (1964)
- Wilderness Act (1964)
- Classification and Multiple Use Act (1964)
- Trans-Alaska Pipeline Act (1973)
- Forest and Rangeland Renewable Resource Planning Act (1974)
- National Forest Management Act (1976)
- Federal Land Policy and Management Act (1976)
- National Wild and Scenic Riverfs Act and Trails System Act (1968)
- National Environmental Policy Act (1970)
- Endangered Species Act (1973)
- Clean Air Act (1955), and amendments
- Federal Water Pollution Control Act (1972)
- Clean Water Act (1977)
- Wild and Free Roaming Horse and Burro Act
- Coastal Zone Management Act
- Bald and Golden Eagle Protection Act
- Noise Control Act
- Geothermal Resources Act

#2 Increased knowledge of resource matters by public,

--new popular attitudes toward the agencies and toward the federal lands

--new abilities on part of gen. public to influence fed. land managing agencies

#3 New role for courts

CONCLUSIONS:

Stages in BLM History:

#1 Acquisition of lands

#2 Disposal of lands (survey, recording, implementing distribution laws)

#3 Reservation of lands (withdrawal and classification)

#4 Custodial management of lands

#5 Intensive management of lands, 1950-1960

#6 Consultation and confrontation, 1961-present

History founded on coping with several realities:

#1 Managing vast amounts of land which no one, for the moment, wanted

#2 Implementing staggering variety of federal mandates of growing complexity (acts of Congress, orders of the President, decisions of federal courts)

#3 Mounting program with minimal staff, limited budgets, and contradictory legal mandates without clear definition of priorities

#4 Coming to terms with new "publics:" interest groups, distant but potential "useers" of public domain, special agenda issues

Steve Beckham's Presentation Speech for the "Employee Development Seminar, April 7, 1986, Agate Beach, Ore."

My assignment today is to help you run rapidly ~~directly~~ ^{through} 201 years of the management of federal lands, an enterprise that commenced in the 1780s and continues to the present. I think that we would first submit that there is a remarkable significance to the public domain in American history and that the public domain lands of America played major roles in evolution of this nation's history. For example, some of the focal points of this nation's diplomacy and military affairs has directly impacted management of lands by BLM today. The acquisition of public domain, be it through the treaty with Russia of Alaska in 1867, the Gadsen Purchase in 1853, the Treaty of Guadelupe Hidalgo in 1848, the resolution of the Mexican War, the Oregon Treaty of 1846, the 334 million acres that came with that to the United States. Each of those events many of us encountered in school in terms ^{of} _^ our study of American History had ramifications both in American diplomacy and American military affairs. Significance of the acquisition of public domain in the United States also has been to create a legacy, sometimes smoldering, sometimes heated, certainly restive, and certainly one that has required litigation in the 20th century. Namely the relationship between Indian tribes and the federal government.

The public domain that you in this room administer, was acquired diplomatically and through war. It is also a public domain that was largely acquired either by theft or by treaty from American Indians tribes. The government of the United States, belately, tried to work out a phylosophy and a legality

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to those actions. And those actions are rather intriguing.

P In the decade of the 1820s, the Supreme Court and Justice John Marshall, called upon a series of cases, to make some rulings about the legitimacy of the American tenure over former American lands. In 1823, in a case that holds large in American Indian history, and in Indian law, in a case called Johnson's and Graham's Lessee v. McIntosh, the US Supreme Court handed down a very fascinating doctrine. The doctrine was, that if you saw it, it was yours. The doctrine of right of discovery. And it came to mind half an hour ago when I came across Cape Foulweather, when Captain James Cook, sailed in along this coast, in the spring of 1775, and looked at this headland just to the north of us, and saw it, he was exercising that doctrine of right of discovery. If you see it, it is yours. And just as Marshall said, it was on that basis, that these European nations have a legal claim on the lands of the Americas. They saw it and it became theirs. That same court case had another important ingredient in it as well in 1823. For in the Johnson's v McIntosh case, the doctrine of the landlord/tenant relationship was also hammered out by the Supreme Court. It was basically a doctrine that the federal government had the right to control and regulate land. And that court case derives from litigation over an Indian land contingent. The Indian situation was also addressed in 1831 in the famous Cherokee Nation case - the Cherokee Nation vs Georgia - wherein Indian nations were relegated to a lesser sovereignty. The very important Marshall Decision that ruled that Indian tribes were domestic, dependent nations; domestic,

dependent nations, not sovereign, independent, equal partners with the government of the United States. That decision was expedient, because of the question of Indian land and those treaties that were being negotiated in the 1820s and 1830s right on through the decade of the 1860s; treaties of peace, treaties of land sessions and, in some cases, treaties that reserved certain rights, privileges or smaller land areas. *P* The centrality of the public domain in the American experience in the last two centuries, has also been the role that domain has played in generating revenue. In bringing in dollars to the federal government. When the State of Virginia ceded the Old Northwest for its claims to the Ohio Valley to the United States in the 1780s, it ~~do~~^{did} so with a proviso, and the proviso of the State of Virginia, as with other former colonies as they ceded their lands for public domain in that decade, was that the United States should use those lands from the west as a common fund for the use and benefit of all the states. There was, thus at the beginning of federal land acquisition, if not management, the inherent principal that common good, common use would be derived out of those lands that belonged to the country. Congress further declared in the 1780s that the lands acquired in the Old Northwest, namely the Ohio and Mississippi Valleys "Shall be faithfully and bona fide disposed of for that purpose and for no other use or purpose whatsoever than for the use of actual settlers". So there was a commitment to use that land not only for revenue but for the benefit of those who actually settled upon it. *P* The centrality of the federal governments interest or the role of public lands, public

domain, in our nations interest have also enlisted important federal legislative decisions since the 1780. There was one a number of us encountered in high school. The Ordinance of 1787 that addressed the ways of setting up territorial or new governments on public domain lands in the west. The Ordinance of 1787 provided for a mechanism for the gradual transition from occupied land to territorial status to statehood. And except in a few rare incidences such as Texas and California which were catapulted into statehood by annexation and directly in California's case as a prize in the Mexican War of 1850, virtually all the other lands in the American west including Alaska and Hawaii went through those provisions under the Ordinance of 1787. Similarly the Constitution of 1789 spelled out continuing federal supremacy of public domain lands. As a condition of entering the Union, new states under the constitution of 1789 had to agree not to tax the public domain and never "to interfere with the primary disposal of the soil by the United States in Congress assembled nor with any regulations Congress may find necessary for securing the title of such soil of bona fide purchasers."

There was thus the injunction as a condition for moving from a territory to state, that the states affirm the supremacy of the federal government in administration and handling public domain land questions. ^P The acquisition of all that public domain, that acquisition that occurred with the Peace of Paris in 1783 right on down through the Treaty of Purchase of Alaska in 1867, and a few incidents after that date, required that those who

were managing the public domain mount certain programs. ~~the~~ One of the earliest programs, and I like to view it as the ancestor of the BLM, is the development of the cadastral surveys, the rectangular surveys, ~~an~~ event that was celebrated by the State Office and the survey crews in particular, just last year. It was the 100th anniversary of the rectangular or cadastral survey in America. ^P To dispose of the public domain in an orderly fashion was one of the first challenges facing the government of the United State following the Revolutionary War. That program necessitated reflection, an orderly approach and method. It was a program that was launched in 1784 when the Continental Congress set up a committee chaired by Thomas Jefferson, who brought to that committee, his enlightenment, insight and persistence, and dedication to order and rational approaches. Jefferson and others on the committee soon arrived at a system that would insist upon prior survey before sale. A running of north and south survey lines in a township which might vary anywhere from ten miles square to seven miles square to a compromise that came out at six miles square. The workings of that Congressional Committee two centuries ago have left important imprints on the land. I think anytime we fly across America and look down on states west of the Appalachians we see the imprint of that committee recommendation. All those squares upon the land, varied only today by the circular sprinklers systems, such as up on the Columbia plateau where we get a circle in the square, or if on a summer day we try to drive the length of Oregon's Willamette Valley, we are bedeviled by all those marvelous 90° turns as we

follow those section lines that are again the revenue from that committee decision.

The Land ~~Or~~ ¹⁷⁸⁵ ~~1885~~ Ordinance of 1785, an ordinance that addressed the survey of the land, enacted the program recommended two centuries ago. It set aside section 16 for school support. It prescribed townships six miles square, each containing 36 sections. It provided for the appointment of surveyors and chainmen under the direction of the Geographer of the United States, a now rather obscure figure named Thomas Hutchins, who held that post in 1781. It required that these surveyors, when they went into the field, note specific detailed information on their plats, namely that in the 1780s they should note "At their proper distances, all mines, salt springs, salt licks, mill seats, that shall come to his knowledge; and all water courses, mountains, and other remarkable and permanent things over or near which lines shall pass, and also the quality of the land." I delight in those instructions of 200 years ago. As an historian, those become, the elements of my time machine I put my students into and we will take those survey notes out of the state office and take the cadastral survey plats. We can literally travel back in time because the visual presentation plats and the detailed notes in the township summary narratives let us see the land at the moment of survey. The distribution of vegetation, the road systems, the river systems, in fact, if it is an area that is already partially settled as was the Pacific Northwest when the Willamette Meridian was run in the 1850s, we can see

settlements, roads, barns, ferries; the first human imprint in the makings of our pioneer societies in those early record sets. *P* The system of the rectangular survey, also known as the cadastral survey because it describes the land legally, commenced in the early 1780s and as you know, continues into the present time. It began in the Ohio Valley, and it began to impose an order prior to sale, so that there could be a clear description legally of those land parcels as the federal government set up a disposition system. And it was in the late summer of 1785 that the surveyors started that system on the banks of the Ohio River and shoved it westward until in 1850 Congress passed the act creating the Office of Surveyor General for the Oregon Territory and John Preston trekked out to Oregon went down Burnside, probably passed through the taverns there in Portland, crawled up in the west hills in the brush, and with a very hefty throw, thrust a column of columnar basalt into the soil on the top of the west hills and there established the meridian and base line for surveys in Oregon and Washington. - The survey system that reaches from the 42nd to the 49th parallel. *P* There was another challenge that faced America after acquiring the land and surveying the land, and that was getting rid of all that land, the disposition challenge. The driving force of disposing of public domain lands for nearly two centuries was the paying off the accumulating public debit. And I think we have even heard more recently that our national debt problem might be solved by disposing of assets be it the Bonneville Power Administration's investment in the Pacific northwest or federal lands. This

proposal surfaced in a concrete way the fourth of August in 1790 when the government declared in Congress that the proceeds from the sale of public lands: "are hereby appropriated toward shrinking and discharging the debts." Revenues would pay the bills. The concern was to shake off control or potential influence of bond holders of the new, young government of the United States. That these folks might unduly influence the political direction of America. The plan was to implement taking those revenues from land sales and it was projected that the entire debt of the Revolutionary War would be paid for by 1830. It didn't quite happen that way but that was the plan. The plan was to sell land at \$2.00 an acre with a 640 acre minimum. I think as some of you know, that was the proposal that was put in place by Congress in 1800 and then when it didn't sell, Congress had to review that and enact new land laws, reduce the acreage and reduce the fees steadily. ~~P~~ To help put this in place, after the surveys were going and the decision had been made to pay the debt through the sale of land, Congress needed an office to carryout the tasks. It finally set up such an office in 1812. This was the creation of the General Land Office, one of the antecedent offices to the Bureau of Land Management. The General Land Office, which was to receive those revenues, was appropriately located in the Treasury Department where it remained until 1849. The General Land Office was to sell land and it managed slowly to do that. It sold 122 million dollars worth by 1842. Not a lot of revenue, in fact a very modest amount of revenue, but it did achieve its purpose of annual land sales. Beyond selling land,

the General Land Office, had some responsibilities that BLM maintains to the present, that included the recording of the title of sale, and the distribution of land be it to states, as state grants, to special interest groups, such as veterans who received a bounty or benefit for their service in war, the recording of title of Indian lands. These events remain as part of the functions of BLM. The BLM is the Office of Title on Indian allotments, on Indian Trust land, and those initial recordings of the passage of land from public ownership to private ownership are first recorded in the BLM archives and then the chain of title has to be picked up at the County Court House level. These responsibilities and the supervision of the transfer of federal lands to states, and that was a big supervision, when in 1841 Congress approved a transfer of a half million acres (500,000 acres) to each new state, and 18 states received those lands, those were part of the functions of the General Land Office. That land office, would of course continue carrying out these duties, and others right down to the 1940s. *P* The General Land Office was also to supervise three principal modes of disposal of public lands. It was to sell that land for revenue, it was to grant it to states or to corporations such as railroads or wagon road companies, for internal improvements, and the General Land Office, was to, thirdly, give grants to individuals for the specific services that they may have delivered to the government of the United States. Sell, grant to states and corporations, and to grant to individuals. There was nothing in those early years, in fact the first several decades, of the General Land Office,

that really implied management of lands. It was largely an acquisition, survey, and disposition program. *P* Well, then what sort of stages are there in the history or the background of the Bureau of Land Management. I turned, as I think most do, when they are concerned with public domain issues and the history of America's land, either to Paul Gates or to Marion Clawson, both of whom have written extensively on this subject. Gates, as an economist and professor, Clawson as an economist and former Director of the BLM and now a very senior authority on the subject of public domain lands in America. And I rather like the scheme or organization of that work that Clawson has put in place that gives us a chance to look at the history of BLM over time. It is a chronological approach. It is also a functional approach that is worth our looking at first. *P* The Bureau of Land Management's early history is involved with acquisition, that would be the first stage of BLM history. The taking of Indian land, the taking of land from international agreement, the taking of land through warfare, the General Land Office as the antecede to the BLM was the cutting edge for the administrative office of the government involved in land acquisition. That procedure which nearly ended in 1867, has been renewed occasionally in the 20th century. The federal government provided for land acquisition in 1911 with the passage of the Weeks Act. The Weeks Act in 1911 for example, enabled the federal government, namely the Department of Agriculture, to acquire federal land base in the eastern part of the United States with the creation of national forests in states that did not have large tracts of federal

land in the building up of forest reserves such as the ones in present day Georgia, Arkansas. The government acquired land, land that some of you probably administer at the present moment through the revestment of grants. The most significant being the Oregon and California railroad grant revestment in 1916 when the Supreme Court of the United States held that the O & C grant was to be "revested and reconveyed to the United States." That reconveyance and revestment occurred in part because of the failure of the O & C or those who bought O & C lands to live up to the terms of the initial grant that such land was to be sold to bona fide settlers, not to timber companies like Booth-Kelly Lumber Company of Springfield, Oregon which acquired tens of thousands of acres of that property at the turn of the century. And another type of reconveyance or revestment for those of you who come from the Coos Bay and Roseburg BLM Districts, the Coos Bay Wagon Road Grant revestment. So there have been ways, even in the 20th century that the federal government has acquired land, has engaged in land acquisition which is through that first stage of history of activity with BLM.

T Secondly, and this is the one that is supposed to meet that behavioral objective in coming to terms with some land laws, and I saw that just briefly on the agenda for that disposal. How does the government intend to get rid of all those properties and raise those revenues. Disposals of land was a major concern of the General Land Office from 1812 until 1934 when the Taylor Grazing Act effectively curtailed the disposal

philosophy. Clawson has addressed disposal and has said the following. "Beginning slowly...it continued unabated, often at breakneck speed, until 1934, when President Roosevelt withdrew from private entry all the remaining public domain after the passage of the Taylor Grazing Act".

"Disposal was a particularly complex process, governed by literally thousands of laws whose administration in the field often deviated greatly from the provisions of the Law".

There is the word of a senior official, former official and commentator on the workings of the General Land Office, namely that the disposal was complex, it was based on thousands of laws and in the field it often deviated greatly from the provisions of the law. There was a constant pressure by the American citizenry for a liberalization of the laws for disposing of the public domain. The interest of speculators were often pressed and lobbied in the halls of Congress. The demands of bona fide settlers were often articulated in world newspapers, about _____ lands and _____ prices and even free land. The concerns of Jeffersonian and Jacksonian Democrats, those people who espouse the myth of the yoeman, the farmer, the yoemen and yoewomen were the backbone of America, they articulated a concern that public domain be gotten rid of quickly and that America be a vast fee-simple empire. Some of them even embraced pseudo-scientific theory such as American fell into the Iso-Thermo Zodiac, a certain parallel of geography in the northern hemisphere and that the transom of civilization

had moved from China to India, Greece and Rome and western Europe and now to Kansas or Nebraska or South Dakota or some other gosh-awful place and that this transon civilization necessitated the disposition of those public domain lands within that Zodiac. Or as Thomas Hart ^{Minten, Expansion} ~~Benton~~ Senator from Missouri, would put it repeatedly between 1820 to 1850, "The Children of Adam, were transacting Columbus' dream and if American would let loose those acres out west, the passage to India would be achieved and Columbus could rest in his grave, and the wealth of the Orient would flow through America. And of course on its way to Europe and Americans and Europians would all be uplifted." and probably have Sony recorders and drive Japanese made cars, and other such good things. But the key to it was disposing of that land out west and the General Land Office was to do that.

W/Genesis

At times Congress experimented with giving away the public domain. It did it briefly in 1842 when direct gifts of land were proffered to settlers in west Florida. The whole object was to get people to go out and live there because maybe they would act as a buffer to those wild Indians that lived in West Florida. The proposition surfaced the second time in 1850 when in the same act that made John Preston Surveyor General of the Oregon Territory. Congress implemented the Oregon Donation Land Act so that nearly 9,000 settlers, who came to Oregon before 1855, could get either free land or land at a bargain \$1.25 a acre if they arrived after 1850. Altogether by 1855, Congress had provided for nearly 10,000 claimants for 3 million

acres of public domain. *P* The pressure was on by the 1850s to liberalize that land policy even further. And I think we all know, it took a Republican administration to give away the public domain in 1862 through the passage of the Homestead Act. There was a remarkable shift of philosophy from the Democrats and Whigs of the 1850s to the Republicans of the 1860s in terms of subsidizing railroads with land grants and subsidizing wagon road companies with land grants and subsidizing yoeman farmers with land grants under the Homestead Act of 1862. Homesteading, of course, would continue or persist with waves of popularity. It would rush forward in 1880s when more than 150 million acres were filed upon in a decade. But only 40 to 50 million were actually patented. And here in the Pacific Northwest, there was a second eruption of intensive homesteading between 1900 and 1920, particularly on the Columbia Plateau and in the more arid regions of Oregon east of the Cascades in Central, South Central, and Southeastern Oregon where there was tremendous interest of people in Minnesota and the plains area in Oregon's desert country or the Columbia Plateau. —

The Homestead Act became one major means starting in 1862, disposing of that domain. *P* Congress then experimented with a few other measures, some of which we may have encountered. One was a short-lived adventure called the Timber Culture Act which was put in place a decade later in 1873 and it lasted nine years. The Timber Culture Act provided for a 160 acres for free for those who would go out and plant trees on 40 acres,

each tree being 12 feet from the nearest tree. And you have to make those trees grow for 10 years. The idea was rather like Samuel Augey's brand of scientific thesis, that rain would follow the plow. And that if you would go to Colorado and turn over the soil, it would miraculously start to rain. The concept of Congress, and we won't blame this on the General Land Office, was that if you plant trees the weather would change. And Wyoming and Colorado would be much more fit and would look like the garden of Eden in ten years. And for planting 40 acres, 12 feet apart, you got 160 acres for free. Amazingly 10 million acres were patented. 8 million acres alone, in Kansas, Nebraska and the Dakotas under this law. I have been there and I still haven't seen very many trees even longer than 10 years after they were planted. This was not a viable law. It was a great way for disposing of land. It didn't achieve its desired goal and was chucked out in 1882.

PIn 1877 Congress tried again. I know that those of you that work for a federal agency in the last 10 years have discovered that Congress keeps trying again and again and again. In 1877 the Desert Land Act went on the books. I have encountered a number of Desert Land Entries. Sometimes they are clearly noted in the old historical index over at the BLM archives I know in Portland. The Desert Land Entries were rather exciting for people in arid regions because you could qualify for a full 640 acres, a square mile under this 1877 law. The provision was that you have to irrigate the land within three years. To make it wet at the end of three years time. Phil Foss has written about the Desert Land Act, a very good book, and those

of you who are in the grazing or rangeland area may want to read Foss' book if you haven't done so. It is called Politics and Grass, the green stuff, and Foss has written "The efficient irrigation of 640 acres by one man is impractical today with all the most modern machinery at his disposal. It was a fantastic requirement in 1877.... The settler was unlikely to have the capital necessary to install such an irrigation system. Even if he had the capital there was usually no source of water". The General Land Office was caught, caught in a bind. It had to preside over a somewhat senseless ritual of authenticating the desert land claims. Altogether claimants entered on 32 million acres under this law. They purchased, this was a purchase act, not a giveaway act, they purchased, 8.3 million acres under the Desert Land Act of 1877.

By the end of the 19th century, it had become evident to many in the federal land states in the American west that a homestead of 160 acres or a timber culture claim of 160 acres just wasn't sufficient for making a living. Particularly if range industry was the primary focus of that land base. So in 1909 responsive to this concern, and in part because of the success of an experiment called the Kincaid Act, Congress passed the enlarged Homestead Act of 1909. It doubled the grant to 320 acres. And this grant, the enlarged Homestead Act of 1909, came also with some breakthroughs in dryland farming. The dry farming techniques of the summer fallow system which became popular in American after 1900 coincided with the public interest in acquiring that 320 acres, and Congress tightened

things up by reducing the amount of time that one had to prove up on the land in three years. And for some, the enlarged Homestead Act of 1909 was a great benefit. For others, in viewing it retrospectively, this law was a bit of a disaster. Because it encouraged thousands of folks to go onto the public domain and try to become farmers. They tilled under the ground cover, they helped stimulate or produced erosion, they made management of those lands much more difficult in the ensuing decades. Finally in 1916, Congress kicked in place, its last major distribution law. The Stock-Raising Homestead Act. In direct response to concerns primarily of cattle raisers in the west to increase the acres this time to a full square mile or 640 acres. The Stock-Raising Homestead Act of 1916 represented a major shift in thinking from Congress focusing on the yoeman farmer with the plow to thinking of the westerner as a stock raiser, primarily the cattlemen.

The impact of the various disposal programs is immense. The Geological Surveys superimposed surveyor's squares on the landscape without regard to topography and helped create the checkerboard system and the incongruities of situations such as John Wesley Powell encountered and discussed in the 19th century in his classic Report on the Lands of the Arid Region of the United States: John Powell, survivor of the Civil War, the man who headed the US Geological Survey, and who explored the American West including the canyon of the Colorado with one arm and a lot of fortitude, had this to say about the survey system. "Many a brook which runs but a short distance will

afford sufficient water for a number of pasturage farms: But if the lands are surveyed in regular tracts as square miles or townships, all the water sufficient for a number of pasturage farms may fall entirely within one district. If the lands are thus surveyed, only the divisions having water will be taken, and the farmer obtaining title to such a division or farm could practically occupy all the country adjacent by owning the water necessary to its use." (Foss 1960:28) And indeed, that survey system provided just for that situation. Namely, the land disposal system, fostered filing on key tracks of land to control water resource which then insured to the controller of the water resource, virtually free and unckecked use of the adjacent public domain lands until such moment as Congress would pass something, such an Act as the Taylor Grazing Act.

Jointly the survey system and the topographic realities created a nightmarish system for rational, scientific management. The checkerboard nature of grants to railroads and water road companies and the nearly total lack of land organization by watershed, ecological units or biotic considerations were some of the results.

The distribution system aided, abetted, or encouraged speculation in marginal western lands. This led to undesirable tillage and removal of ground cover. Encouraged exploitive attitude toward fragile environments, founded on political expediency and economic interests rather than on ecological awareness. Fostered conflict (such as that of cattlemen and

sheepmen). Homesteaders got land so small they were forced to use public land. Use of public land bred more conflict with competing users whose interests were legal or illegal. Phillip Foss has concluded that the land distribution system: was a series of political acts which resulted in land policies "That were not suited to the region and that had the effect of encouraging conflict, insecurity, and disrespect for law" (Foss 1960:30).

A third major event, in the evolving history in the antecedents of BLM beyond acquiring land and disposing of land, is the reservation of land. The withdrawal, if you will, the withdrawal and classification of land. Congress did little, in the 19th Century, to enable the commissioners of the General Land Office to enforce laws, to eradicate fraud, to protect against trespass. They did not appropriate the funds necessary for the General Land Office to acquire a staff, or to carry out those duties. They did not help the General Land Office to prevent internal problems, mismanagement and plundering. In 1891, however, Congress did set up the first of the major withdrawal programs. The one that would eventually lead to the US Forest Service.

Namely in 1891 Congress passed The Forest Reserve Act, making it possible for the President by Executive Order to reserve the public domain lands those tracts being useful as national forests. Within a very short period, within six years, three Presidents of the United States, had set aside 40 million

acres, and Theodore Roosevelt would more than triple that early in his Presidency. There were other withdrawals beyond those for forest reserves; waterpower sites, phosphate reserves, coal mines, oil reserves for Naval Petroleum purposes, lands for national monuments, lands for national parks, wildlife systems. All of these were withdrawals, over which the General Land Office had initial supervision. Indeed the forest reserves remained the general bailiwick of the General Land Office till 1905 when Gifford Pinchot and his good buddy Roosevelt were able to orchestrate an entirely new agency in the Agriculture Department to administer the forest reserves that had been designated by executive order. In terms of reservation of land, probably the most significant measure for the BLM was the Taylor Grazing Act of 1934 because that act effectively ended the public domain as a grazing commons and established a management system, under the Grazing Service of the Interior Department which would have oversight on 142 million acres by 1936. I like to view the Taylor Grazing Act positively though there have been many critics of it. What I find particularly engaging about the Taylor Grazing Act, is that it was a rather unique form of participatory democracy in the American West. It had built into it from its beginning, in part because of the integration of Farrington Carpenter, the rancher-lawyer, who headed up the Grazing Service, the idea that self interest might well be served by having ranchers and land managers serve jointly on those grazing boards and exercise oversight. That participation of the public in land management decisions, was

inherent in the Taylor Act, and the early approach to land management by the Grazing Service under that Act.

Fourth. We have talked about acquisition, land disposal, reserving or reservation of lands. There was a fourth era in the emerging history of the BLM. Namely what we could describe as custodial management, that is 'sort-of' management. Not full scale management, just the custodial kind. The kind that you carryout when you have little or no money, virtually no trained staff, no in-house expertise, and maybe a staff that lacks the "will to manage them constructively and effectively." That is essentially what the General Land Office had to do or face, in the first four decades of the 20th century. Had little money, short of personnel, little expertise, and not much of a will to manage constructively and effectively. I suppose we could turn to Gifford Pinchot in that he had something rather biting to say about the General Land Office, I offer, just for the perspective on his brief has for us, Pinchot addressing the General Land Office as a manager said, "The management was awful. Division P of the General Land Office at Washington, to which the department had given the reserves in charge, knew literally nothing about them or what ought to be done with them. At that time (1899) not one man in Division P had ever set foot in a forest reserve or had even seen one forest reserve tree, unless perhaps from a pullman car window. The abysmal ignorance of the Washington Office about conditions on the ground was outrageous, pathetic, or comic, whichever you like...."

In practice, thanks to lax, stupid, and wrongheaded administration by the Interior Department, the land laws were easily twisted to the advantage of the big fellows, and western opinion was satisfied to have it so. " Now remember that Pinchot was running his own show. He had gotten his forest service, he had gotten it in the department where he wanted it, over at Agriculture, and I think you have to take this critique a bit or gain of salt, but we also have to keep in mind, that Pinchot and others were well aware of what was happening. In the General Land Office and on the public domain lands in Oregon and Lincoln County and right here where we are, which was the Slilacks Indian Reservation in the 1890s. What was going on. The revelations that were coming out at the turn of the century, the General Land Office and four _____ were singularly involved in what was called, land fraud. The problems were multiple. Dummy entrymen/entrywomen, fraudulent "naming of the base" for lieu lands, fraudulent commuting of residency requirements, fraudulent transfer of title, failure to compel railroad and wagon road companies to dispose of the lands under the law, multiple filings by the same entryperson, involvement of Oregon politicians in the scam, so much so that the federal government finally stepped in to clean up the mess, and sent in Francis J. Heney as a special prosecutor and one of the first men he grabbed, was a man named Steve Puter, who was sent to the Oregon State Pen and in the dismal recesses of his cell in Salem, wrote Looters of the Public Domain. A marvelous book that tells it all on Oregon's politicians including former

Senator, John Mitchell, who was convicted; former Congressman, J. N. Williamson of Prineville, convicted; former Congressman, Charles W. Fulton, a then Senator of Oregon from Astoria, convicted; Marion R. Biggs, General Land Office, Prineville, convicted; John H. Hall, U. S. Attorney, in Portland, fired; James H. Booth, Receiver of General Land Office, Roseburg, convicted; and the Honorable Binger Hermann US Commission of Lands, Washington, DC, twice tried and escaping because he burned the records in the basement of the General Land Office. Fascinating book, great photographs such as Binger Hermann throwing his arm around Teddy Roosevelt on the back of a Pullman car in Portland, implying they were good buddies. Actually Hermann saw the photographer there, quickly stepped up to the door, threw his arm around Roosevelt and smiled and the picture was taken. Roosevelt had just fired him as Commissioner of the General Land Office two weeks before.

This isn't very nice stuff, is it? In fact it is part of the historical burden that BLM has had to carry at times. But there is a much better story than this. For the General Land Office improved, it got over the graft and fraud, it got into the business of management with the mandate from Congress on the Taylor Act in 1934 and after World War II, moved into what can be described as a fifth stage in its history, namely intense management. A decade of very intensive effort to try to come to terms with the resources on the federal lands in the west. Clawson dates this intensive management to 1950 in part because it was in that fiscal year, that for the first time,

the revenues were greater than the expenditures for land management in the American West. The federal land managing agencies generated 20 million dollars more than they spent in 1950 and 1951. And the pace is remarkable. Steadily in that decade the board footage off the federal lands increased from 4 to 9 billion board feet by 1960. The year of leisure time, a second vehicle, paid vacations, an increase in life expectancy after the great depression and after the second world war fell upon the federal land managers. From 30 million tourist in 1950 to 90 million in 1960. Recreation that required new management. An estimated 50% increase in forage for wildlife, a mounting interest in gas and oil leases from 30 thousand in 1950 to 140 thousand 1960. These things that were happening nationally, also happened here within this state. For example in 1950 the O & C lands had a cut of about 400 million board feet. In 1960 it was at one billion board feet. That was a decade of activity, a decade of intensive management. Then in 1960 this agency and other federal agencies really moved into a rather remarkable era. One that in a sense we are still in today. A sixth era in BLM history, called Consultation and Confrontation. There was a continuation of past trends, such as intensive management, acquisition, disposal, withdrawal. But there were new things, that were coming to bear on this agency. Things that the Congress imposed, things that the public imposed, things that the courts imposed. The era after 1960 is the era of new laws, those laws that many of us have to live with to the present moment. The Multiple Use-Sustained Yield Act of 1964, the Wilderness Act of 1964, the Trans-Alaska

Pipeline Act of 1973, the National Forest Management Act of 1976, The Federal Land Policy and Management Act of 1976, the Geothermal Resources Act, the Noise Control Act, the Bald and Golden Eagle Protection Act, the Coastal Zone Management Act, the Clean Water Act, one of my favorites for Southeastern Oregon, the Wild and Free Roaming Horse and Burro Act. Twenty or more major pieces of legislation, mandates, to the land managers to take into account the great variety of resources. These mandates often require consultation. Consultation with the states, consultation with the local land managing agencies, consultation with the economics industries. And sometimes they produced confrontation with special interest groups. This recent history of the Bureau of Land Management had also brought to bear an increasingly knowledgeable public, a public that is aware, in Chicago and in Atlanta, and in Houston, that the public domain lands of Oregon and Idaho and Nevada are their lands, not just ours or the ranchers who live in the Harney Basin or Klamath Lakes area. Those lands belong to the whole country, therefore new attitudes, new pressures brought to bear, new interest groups, new ecological awareness, new demands of recreation seekers. All of them put pressure on the Bureau of Land Management. And lastly there were Court decisions. For obviously those who had special interests, sometimes would be pressed to litigate their causes, and would take these matters to court, to attempt to compel or force, an interpretation of the law that would go in the direction that they sought. These many pressures came to bear on those who were the descendants of the first implementers of the first

federal land management programs in America. So, from a mixed history, from the rectangular survey of enlightenment of the 18th century, from the disposal programs of the old General Land Office, from the slow reservation, classification systems of public lands, from the participatory democracy of the _____ Act, and from the intense activity of Congress and modern day public pressures, the Bureau of Land Management has evolved as an agency that carries a welter of responsibilities, and I think multiply challenges for those of you who are concerned with America's land heritage today. As a quick 200 year survey, it is one that I hope however, that has put some of these matters, in perspective, for the BLM has had to engage in acquisition, disposal, reservation, custodial management, intensive management, and most recently, consultation and confrontation, with those concerned with America.

Thank you very much.

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